

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BRENDA LEE BRAUN,

Plaintiff,

v.

PHILLIP STOUT

Defendant.

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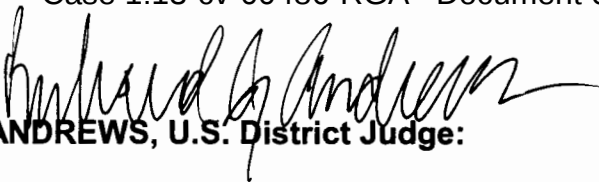
Civ. No. 13-486-RGA

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Brenda Lee Braun, Lancaster, Pennsylvania, Pro Se Plaintiff.

**MEMORANDUM OPINION**

May 14, 2013  
Wilmington, Delaware

  
**ANDREWS, U.S. District Judge:**

Plaintiff Brenda Lee Braun filed this action seeking payment for theft by deception. She appears *pro se* and has been granted leave to proceed *in forma pauperis* (D.I. 4). The Court proceeds to review and screen the Complaint pursuant to 28 U.S.C. § 1915(e)(2).

Plaintiff states that Defendant Phillip Stout “needs to be put back in prison for terristic [sic] threats, theft by deception, abuse by verbal and mental. . . .” She also seeks a permanent no-contact order. She alleges that Stout threatened to beat her, if she did not change her party and vote Republican. In addition, Plaintiff seeks reimbursement in the amount of \$540.91 for items she purchased for Stout. Plaintiff alleges that Stout misled her into believing that he would reimburse her for the items. It appears that all items were purchased in Delaware.

While the civil cover sheet asserts jurisdiction by reason of a federal question, the Court perceives no basis for federal jurisdiction. In addition, there is no diversity jurisdiction. The Complaint, and the civil cover sheet, indicate that, at the time she initiated this lawsuit, Plaintiff was a citizen of the State of Delaware as is Defendant. Further, Plaintiff alleges damages in the amount of \$540.91. Hence, the requisites for diversity jurisdiction are not met. See 28 U.S.C. § 1332(a) (for diversity jurisdiction the matter in controversy must exceed the sum or value of \$75,000, exclusive of interest and costs); *id.* at § 1332(a)(1) (for diversity jurisdiction the matter in controversy must be between citizens of different States). Accordingly, the Court lacks subject matter jurisdiction over this matter.

For the above reasons, the Court will dismiss the Complaint for lack of subject matter jurisdiction. Amendment is futile.

An appropriate order will be entered.